

APR 12 2016

JULIA C. DUBLEY, CLERK
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

ABDUL-HAMZA WALI MUHAMMAD,)	CASE NO. 7:16CV00034
)	
Plaintiff,)	
v.)	ORDER
)	
DR. HAPPY EARL SMITH, <u>ET AL.</u> ,)	By: Glen E. Conrad
)	Chief United States District Judge
Defendant(s).)	

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

as follows:

1. Plaintiff's motions to amend (ECF No. 26 and 29), seeking to dismiss Claims 3 and 4 of the amended complaint without prejudice, are **GRANTED**;
2. Plaintiff's motions for preliminary injunction (ECF Nos. 2 and 10) are **DENIED**;
and
3. Plaintiff's amended complaint (ECF No. 10) is **DISMISSED**, pursuant to 28 U.S.C. § 1915A(b)(1), for failure to state a claim against the following defendants, who may be terminated as parties to the action: Mullins, Lovell, Murphy, Adams, Still, Tate, Barksdale, Phipps, Hamilton, and Schillings; but the amended complaint is **DISMISSED** without prejudice as to possible claims against Dr. Smith, and by separate order, the court will set a scheduling order for plaintiff to file a second amended complaint against this defendant.

ENTER: This 12 day of April, 2016.

[Signature]

Chief United States District Judge